

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT
TRANSLATION

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

| | | | |
|---|---|---|--|
| | | Date of mailing (day/month/year) | |
| Applicant's or agent's file reference FP05-0298-00 | | FOR FURTHER ACTION See paragraph 2 below | |
| International application No. PCT/JP2005/022790 | International filing date (day/month/year) 12.12.2005 | Priority date (day/month/year) 30.06.2005 | |
| International Patent Classification (IPC) or both national classification and IPC | | | |
| Applicant HAMAMATSU PHOTONICS K.K. | | | |

1. This opinion contains indications relating to the following items:

| | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

| | | |
|--|------------------------------------|--------------------|
| Name and mailing address of the ISA/JP | Date of completion of this opinion | Authorized officer |
| Facsimile No. | | Telephone No. |

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2005/022790

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:
 the international application in the language in which it was filed
 the translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rule 12.3(a) and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material
 on paper
 in electronic form
 - c. time of filing/furnishing
 contained in the international application as filed
 filed together with the international application in electronic form
 furnished subsequently to this Authority for the purposes of search
3. In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2005/022790

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|--|---|-----|-------------|--------|-----|--|--------|-----|--|--|----|---------------------|--------|-----|--|--------|-----|--|--|----|-------------------------------|--------|-----|--|--------|-----|--|--|----|
| Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>1. Statement</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Novelty (N)</td> <td style="width: 60%;">Claims</td> <td style="width: 20%; text-align: right;">1-8</td> </tr> <tr> <td></td> <td>Claims</td> <td style="text-align: right;">YES</td> </tr> <tr> <td></td> <td></td> <td style="text-align: right;">NO</td> </tr> <tr> <td style="text-align: right;">Inventive step (IS)</td> <td>Claims</td> <td style="text-align: right;">1-8</td> </tr> <tr> <td></td> <td>Claims</td> <td style="text-align: right;">YES</td> </tr> <tr> <td></td> <td></td> <td style="text-align: right;">NO</td> </tr> <tr> <td style="text-align: right;">Industrial applicability (IA)</td> <td>Claims</td> <td style="text-align: right;">1-8</td> </tr> <tr> <td></td> <td>Claims</td> <td style="text-align: right;">YES</td> </tr> <tr> <td></td> <td></td> <td style="text-align: right;">NO</td> </tr> </table> | | | Novelty (N) | Claims | 1-8 | | Claims | YES | | | NO | Inventive step (IS) | Claims | 1-8 | | Claims | YES | | | NO | Industrial applicability (IA) | Claims | 1-8 | | Claims | YES | | | NO |
| Novelty (N) | Claims | 1-8 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Claims | YES | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | NO | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Inventive step (IS) | Claims | 1-8 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Claims | YES | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | NO | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Industrial applicability (IA) | Claims | 1-8 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Claims | YES | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | NO | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>2. Citations and explanations:</p> <p>Document 1: JP 59-215654 A (Hamamatsu Photonics Kabushiki Kaisha), 05 December 1984, Full text; all drawings & US 4611143 A</p> <p>Document 2: JP 2001-35238 A (Hamamatsu Photonics Kabushiki Kaisha), 09 February 2001, Full text; all drawings & US 2002/0060909 A1 & EP 1201984 A1 & WO 2001/006173 A1</p> <p>Document 3: JP 2001-256922 A (Hamamatsu Photonics Kabushiki Kaisha), 21 September 2001, Full text; all drawings (Family: none)</p> <p>Document 4: JP 2001-256924 A (Hamamatsu Photonics Kabushiki Kaisha), 21 September 2001, Full text; all drawings (Family: none)</p> <p>Documents 1-4 are all documents cited in the ISR. None of documents 1-4 describes the point that "the cross-section of said opening prescribed by the base level that corresponds to said first side has a noncircular shape", nor would this be obvious to a party skilled in the art. Therefore, the inventions described in claims 1-8 are neither described in any of documents 1-4, nor would they be obvious to a party skilled in the art.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |